

OFFICIAL State Plan Material

Our Reference: DPO-R6-348M
ME-62-0-0

Dear Mr. Johnston:

This confirms my telephone conversation with Maria Muller about Medicaid coverage for liver transplants as noted in the letter to her dated 11/1/88. I understand that the State has a waiting list for a liver program, which provides for limited Medicaid coverage of liver transplants under a research and demonstration program, expiring August 31, 1989.

[illegible][illegible]

In order to ensure federal financial participation, you should officially notify us that you are in compliance with the rules program describing the extent to which it represents a provision of services. Your notification, together with our approval, will be made a part of the official Texas State Medicaid Plan.

Sincerely,

b6E:

Seals
at file
g file

3. Dr. Seiden
Regional Administrator

McCune/njm - Disk #88 - 59 - D5/11, P5/11, RD5/12, P5/13, RD5/16MEH.

RTF 5-16 mm

Schwarz 5/17/83
gs Caroline m. 1st

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31 MAY 1983

Our Reference: DPO-HS-3:BM
MB-42-0-5

Mr. Martin Johnston
Commissioner
Texas Department of Human Resources
P. O. Box 2969, Mail Stop 000-B
Austin, Texas 78769

Dear Mr. Johnston:

This is in response to your letter of May 1, 1983, in which you notified us of your implementation of the living liver transplant program. As you are aware, this program, as limited by the State Plan, is a complex and expensive operation. We appreciate your efforts to implement this program and the results which you have achieved. We are sure that the services are valued by the people of Texas and the State Legislature for the part you have played in this legislation.

If you have questions or if we may assist in any way, please call on us.

Sincerely,

J. D. Seconde
Regional Administrator

cc: Official heading files
Larry Seaton

DPO/DMC/chen/nok 76441 5/21/83

5/21/83
5/21/83
5/31/83



Texas Department of Human Resources

State Headquarters Located at 706 Banister Lane
Mailing Address: P.O. Box 2960 • Austin, Texas 78769

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May 24, 1983

Mr. J. D. Sconce
Regional Administrator
Health Care Financing Administration
Regional Office VI
1200 Main Tower Building
Dallas, Texas 75202

Dear Mr. Sconce:

This is to officially notify you that the Texas Department of Human Resources is going forward with a limited Pilot Program to cover liver transplant services for Ashley Bailey as directed by the Texas Legislature in a House Concurrent Resolution and House Bill 2437 which are attached.

This legislation, signed by the Governor on May 20, 1983, directs coverage of services not normally covered under the plan. The nature of this coverage is contrary to Federal requirements of comparability and the State limitation of 30 days inpatient hospital services during each spell of illness. In order for the State to proceed with this project, a waiver of these provisions is required.

We accept your letter of May 17, 1983 as affirmation of these waivers.

Sincerely,

A handwritten signature in cursive script that reads "Marlin W. Johnston".

Marlin W. Johnston

MWJ:hhc

Attachment

1 required by this Act.

2 ~~SECTION 3. REVENUE FUNDS.~~ The Texas Department of Human
3 Resources ~~shall~~ accept any funds donated from public or private
4 sources for the purpose of establishing the pilot program required
5 by this Act. The donations are hereby appropriated for this
6 purpose.

7 SECTION 4. APPROPRIATION. (a) The sum of \$41,000 is
8 transferred to the credit of the general revenue fund from the
9 unexpended and unencumbered balance of the appropriation to the
10 house of representatives made by Article VI, Chapter 875, Acts of
11 the 67th Legislature, Regular Session, 1981.

12 (b) In addition to sums previously appropriated, the sum of
13 \$41,000 is appropriated to the Texas Department of Human Resources
14 from the general revenue fund to establish the pilot program for
15 experimental liver transplants required by this Act.

16 SECTION 5. EXPIRATION. This Act expires August 31, 1983.

17 SECTION 6. EMERGENCY. The importance of this legislation
18 and the crowded condition of the calendars in both houses create an
19 emergency and an imperative public necessity that the
20 constitutional rule requiring bills to be read on three several
21 days in each house be suspended, and this rule is hereby suspended,
22 and that this Act take effect and be in force from and after its
23 passage, and it is so enacted.

TEXAS LEGISLATIVE SERVICE
5/11/85
Filed by Lewis

6-21--285

A BILL TO BE ENTITLED

AN ACT

relating to a pilot program for experimental liver transplants for infants and small children.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS

SECTION 1. PILOT PROGRAM FOR EXPERIMENTAL LIVER TRANSPLANTS.

(a) The Texas Department of Human Resources shall establish a pilot program for experimental liver transplants for infants and small children.

(b) To be eligible to participate in the pilot program required by this Act, a person must:

(1) be under the age of 18 months when participation commences;

(2) be eligible to receive assistance under the program with dependent children of the family applying for admission to the program; and

(3) require a liver transplant to avoid imminent death.

(c) The total amount of funds expended under this Act from all sources, including federal and state funds and donated funds, may not exceed \$500,000.

SECTION 2. WAIVER. The Texas Department of Human Resources shall seek from the Secretary of Health and Human Services a written waiver of restrictions on the use of Medicaid funds, and to the extent federal funds are made available because the waiver is granted, the department shall use those funds for the pilot program.

FILED MAY 11 1983

BY Lewis

H.C.R. No. 246

HOUSE CONCURRENT RESOLUTION

1 WHEREAS, Ashley Bailey is a seriously ill, nine-month-old
2 baby who is in need of a liver transplant; and

3 WHEREAS, Although Ashley has been receiving Medicaid
4 benefits, she has reached and passed the 30-day limit on hospital
5 coverage provided by Texas Medicaid, and in any event, under
6 current policy, liver transplants are classified as experimental
7 procedures and are not covered by the system, and

8 WHEREAS, This legislature is currently considering a bill
9 authorizing the Texas Department of Human Resources to implement

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1 prepared and forwarded to the commissioner of the Texas Department
2 of Human Resources as an expression of the sentiment of the members
3 of the Texas Legislature.

State/Territory: Texas

AMOUNT, DURATION, AND SCOPE OF MEDICAL
AND REMEDIAL CARE AND SERVICES PROVIDED TO THE CATEGORICALLY NEEDY

1. Inpatient hospital services other than those provided in an institution for mental diseases.

Provided: ☒ No limitations ☒ With limitations*

- 2.a. Outpatient hospital services.

Provided: ☐ No limitations ☒ With limitations*

- b. Rural health clinic services and other ambulatory services furnished by a rural health clinic and covered under the Plan.

~~/XXX/~~ Provided: ~~/~~ No limitations ~~/XXX/~~With limitations*

 Not provided.

- c. Federally qualified health center (FQHC) services and other ambulatory services that are covered under the plan and furnished by an FQHC in accordance with section 4231 of the State Medicaid Manual (HCFA-Pub. 45-4).

Provided: ☒ No limitations ☐ With limitations*

3. Other laboratory and x-ray services.

Provided: /XXX/ No limitations / / With limitations*

*Description provided on attachment.

TN No. 91-34

Supersedes 7-57 Approval Date JAN 14 1992

Effective Date OCT 01 1991

TN No. 90-50, Attachment 3.1-A, pg 1, items 1-3

HCFA ID: 7986E

STATE Texas
DATE REC'D DEC 11 1991
DATE APP'VD JAN 14 1992
DATE EFF OCT 01 1991
HCFA 179 91-34

State/Territory: Texas

AMOUNT, DURATION, AND SCOPE OF MEDICAL
AND REMEDIAL CARE AND SERVICES PROVIDED TO THE CATEGORICALLY NEEDY

- 4.a. Nursing facility services (other than services in an institution for mental diseases) for individuals 21 years of age or older.
Provided: No limitations XX With limitations*
- 4.b. Early and periodic screening, diagnostic and treatment services for individuals under 21 years of age, and treatment of conditions found.*
- 4.c. Family planning services and supplies for individuals of child-bearing age.
Provided: No limitations XX With limitations*
- 5.a. Physicians' services whether furnished in the office, the patient's home, a hospital, a nursing facility or elsewhere.
Provided: No limitations XX With limitations*
- b. Medical and surgical services furnished by a dentist (in accordance with section 1905(a)(5)(B) of the Act).
Provided: No limitations XX With limitations*
- Medical care and any other type of remedial care recognized under State law, furnished by licensed practitioners within the scope of their practice as defined by State law.
- a. Podiatrists' services.
Provided: XX No limitations With limitations*

STATE <u>Texas</u>	A
DATE REC'D <u>JUN 30 1993</u>	
DATE APVD <u>AUG 06 1993</u>	
DATE OF <u>APR 01 1993</u>	
HCFA 177 <u>93-18</u>	

* Description provided on attachment.

Vo. 93-18
ersedes
No. 93-01 Approval Date AUG 06 1993 Effective Date APR 01 1993

State/Territory: Texas

AMOUNT, DURATION, AND SCOPE OF MEDICAL
AND REMEDIAL CARE AND SERVICES PROVIDED TO THE CATEGORICALLY NEEDY

b. Optometrists' services.

☒ Provided: ☐ No limitations ☒ With limitations*
☐ Not provided.

c. Chiropractors' services.

☒ Provided: ☐ No limitations ☒ With limitations*
☐ Not provided.

d. Other practitioners' services.

☒ Provided: Identified on attached sheet with description of
limitations, if any.
☐ Not provided.

7. Home health services.

a. Intermittent or part-time nursing services provided by a home health
agency or by a registered nurse when no home health agency exists in the
area.

Provided: ☐ No limitations ☒ With limitations*

b. Home health aide services provided by a home health agency.

Provided: ☐ No limitations ☒ With limitations*

c. Medical supplies, equipment, and appliances suitable for use in the
home.

Provided: ☐ No limitations ☒ With limitations*

*Description provided on attachment.

TN No. 93-12 Approval Date JUN 02 1993 Effective Date MAY 01 1993
Superseded 91-34
TN No. 91-34

HCFA ID: 7986E

STATE <u>Texas</u>	A
DATE REC'D <u>MAY 10 1993</u>	
DATE APP'D <u>JUN 02 1993</u>	
DATE EFF <u>MAY 01 1993</u>	
HCFA 179 <u>72-72</u>	